



Stephen C. Padilla, Mayor
Deputy Mayor Patty Davis **Councilmember John McCann**
Councilmember Jerry R. Rindone **Councilmember Steve Castaneda**

David D. Rowlands, Jr., City Manager
Ann Moore, City Attorney
Susan Bigelow, City Clerk

**CITY COUNCIL
AGENDA**

June 21, 2005

6:00 P.M.

CALL TO ORDER

ROLL CALL: Councilmembers Castaneda, Davis, McCann, Rindone, and Mayor Padilla

PLEDGE OF ALLEGIANCE TO THE FLAG, MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- **PROGRESS REPORT BY JOANN JONAS, SENIOR LIBRARIAN, ON THE CHULA VISTA YOUTH COMMISSION**

CONSENT CALENDAR

(Items 1 through 10)

The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or City staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed after Action Items.

1. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH ATEL FOR MAINTENANCE OF THE NEC NEAX 2400 TELEPHONE SWITCH FOR A PERIOD OF ONE YEAR WITH AN OPTION TO RENEW THE AGREEMENT FOR NINE ADDITIONAL ONE-YEAR OPTION PERIODS**

On July 12, 1985 the City installed the NEC NEAX 2400 telephone switch. The maintenance contract for the switch expires on June 30, 2005. Adoption of the resolution approves an agreement with ATEL for maintenance of the telephone switch. (Director of Management and Information Services)

Staff recommendation: Council adopt the resolution.

2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT REGARDING JOINT OPERATION OF THE DYNAMIC AFTER SCHOOL HOURS (DASH) AFTER SCHOOL RECREATIONAL PROGRAM; AND THE SAFE TIME FOR RECREATION, ENRICHMENT, AND TUTORING FOR CHILDREN (STRETCH) EXTENDED SCHOOL DAY EDUCATIONAL PROGRAM; AND AUTHORIZING THE MAYOR TO EXECUTE THE MOU

Adoption of the resolution approves an updated MOU between the City and the Chula Vista Elementary School District for Fiscal Year 2005/2006, which includes expansion of the DASH Program to one new site (Veterans Elementary School), and an expansion in the number of students served at one STRETCH site (Harborside School). It also carries forward the program enhancements introduced in the January 2005 Addendum, i.e. the operation of "DASH Plus" at four school sites and the expansion of the number of STRETCH students served at Lauderbach and Montgomery Schools. The Chula Vista Elementary School District Board will be voting on the Fiscal Year 2005/2006 MOU at its June 21, 2005 meeting. (Assistant City Manager Palmer)

Staff recommendation: Council adopt the resolution.

3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE PAYMENT OF \$106,881 TO THE COUNTY OF SAN DIEGO FOR THE CITY'S SHARE OF THE OTAY RIVER WATERSHED MANAGEMENT PLAN FROM THE EXISTING EXPENDITURE BUDGET OF THE PLANNING AND BUILDING DEPARTMENT

As a member of the Joint Exercise Powers Agreement, with an interest in the Otay River, the City is responsible for its share of the cost for a watershed management plan. As the lead agency, the County of San Diego presented the City with an invoice for said plan. (Director of Planning and Building)

Staff recommendation: Council adopt the resolution.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING PAYMENT OF \$30,383 TO JENAL ENGINEERING CORPORATION AND \$26,870 TO SPK CONSULTING FOR WORK COMPLETED IN ADDITION TO THE ORIGINAL CONTRACT WORK ASSOCIATED WITH THE REMOVAL OF UNDERGROUND FUEL TANKS AT 707 F STREET

The Council previously authorized work for underground fuel storage tank removal at 707 F Street, and the work has been completed. Adoption of the resolution authorizes payment of \$57,253 for additional work performed to remove contaminated soil that was stockpiled for an environmental assessment and transported to an area landfill for disposal. (Director of Public Works Operations)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORTS FOR THE FISCAL YEAR 2005/2006 SPREAD OF ASSESSMENTS FOR OPEN SPACE DISTRICTS 2 THROUGH 10, 15, 17, 18, 20, 23, 24, 26, 31 AND 33, BAY BOULEVARD AND TOWN CENTRE MAINTENANCE DISTRICTS; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THESE ASSESSMENTS

The City administers and maintains 24 open space districts that have been established over the last 30 years. The districts provide a financing mechanism to maintain the public open space areas associated with each particular development. The levy of an annual assessment for Fiscal Year 2005/2006 enables the City to collect sufficient funds to provide these ongoing services. (City Engineer)

Staff recommendation: Council adopt the resolution and set the public hearing for July 19, 2005 at 6:00 p.m.

6. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2005/2006 ASSESSMENT FOR OPEN SPACE DISTRICT 11; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE ASSESSMENT

This is one of three companion agenda items to Item 5, which provides all general background information and details regarding the proposed open space district assessments for Fiscal Year 2005/2006. This item includes information specific to Open Space District 11. (City Engineer)

Staff recommendation: Council adopt the resolution and set the public hearing for July 19, 2005 at 6:00 p.m.

7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2005/2006 ASSESSMENT FOR OPEN SPACE DISTRICT 14; DECLARING THE INTENTION TO LEVY AND COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE ASSESSMENT

This is one of three companion agenda items to Item 5, which provides all general background information and details regarding the proposed open space district assessments for Fiscal Year 2005/2006. This item includes information specific to Open Space District 14. (City Engineer)

Staff recommendation: Council adopt the resolution and set the public hearing for July 19, 2005 at 6:00 p.m.

8. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2005/2006 ASSESSMENTS FOR EASTLAKE MAINTENANCE DISTRICT NO. 1 AND OPEN SPACE DISTRICT NO. 1; DECLARING THE INTENTION TO LEVY AND

COLLECT ASSESSMENTS; AND SETTING A PUBLIC HEARING REGARDING THE ASSESSMENTS

This is one of three companion agenda items Item 5, which provides all general background information and details regarding the proposed open space district assessments for Fiscal Year 2005/2006. This item includes information specific to Eastlake Maintenance District No. 1 and Open Space District No. 1. (City Engineer)

Staff recommendation: Council adopt the resolution, and set the public hearing for July 19, 2005 at 6:00 p.m.

9. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE DOWNTOWN PROPERTY BASED BUSINESS IMPROVEMENT DISTRICT ASSESSMENT ADJUSTMENT

In accordance with its Management Plan, the Downtown Property Based Business Improvement District (PBID) may adjust its assessment rate by annual “cost of living” increases based on the San Diego Consumer Price Index (CPI) for all urban consumers, or five percent, whichever is less. Increases are recommended by the PBID Board of Directors and forwarded to the City Council for final approval. For the upcoming tax year (2005/2006), the PBID Board of Directors has recommended an assessment increase of 3.65 percent. (Director of Community Development)

Staff recommendation: Council adopt the resolution.

10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AN AGREEMENT WITH SIMON WONG ENGINEERING, INC., TO PROVIDE CONSULTING SERVICES FOR THE REHABILITATION OR REPLACEMENT OF THE WILLOW STREET BRIDGE OVER SWEETWATER RIVER FOR THE CITY OF CHULA VISTA; APPROPRIATING FUNDS NECESSARY TO COMPLETE THE DESIGN PHASE OF THE PROJECT; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY (4/5THS VOTE REQUIRED)

The proposed project consists of the rehabilitation or replacement of the Willow Street bridge, a two-lane bridge constructed in 1940 that traverses the Sweetwater River. The bridge is currently eligible for rehabilitation funding through the State’s Highway Bridge Replacement and Rehabilitation Program and has been classified as functionally obsolete. While the funding is programmed for bridge rehabilitation, replacement alternatives must be evaluated to assure the best use of public funds. In addition, the current and future traffic demands may support additional traffic lanes for a bridge widening or replacement project. The General Plan indicates that Willow Street will ultimately be a four-lane major arterial. (Director of General Services)

Staff recommendation: Council adopt the resolution.

ORAL COMMUNICATIONS

Persons speaking during Oral Communications may address the Council on any subject matter within the Council’s jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the

topic for future discussion or refer the matter to staff. Comments are limited to three minutes.

PUBLIC HEARING

The following item has been advertised as a public hearing as required by law. If you wish to speak on the item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.

11. CONSIDERATION OF AN ORDINANCE AMENDING THE AMENDED AND RESTATED SOLID WASTE DISPOSAL AND RECYCLING FRANCHISE AGREEMENT BETWEEN PACIFIC WASTE SERVICES AND THE CITY OF CHULA VISTA, MOVING THE RATE ADJUSTMENT ANNIVERSARY DATE FOR SMALL QUANTITY GENERATOR RATES FROM JULY 1 TO SEPTEMBER 1 EACH YEAR

Each year, staff reviews the solid waste rates survey from SANDAG to establish whether or not Pacific Waste qualifies for a small quantity generator rate adjustment. It is difficult to conduct an objective rate review in time for Pacific Waste to meet the franchise agreement rate adjustment anniversary date of July 1, as most of the jurisdictions in the County also have a July 1 anniversary date. Therefore, moving Pacific Waste's rate adjustment anniversary date to September 1 would allow a rate review that is objectively based upon approved rates within the region. (Director of General Services)

Staff recommendation: Council conduct the public hearing and place the following ordinance on first reading:

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING THE AMENDED AND RESTATED SOLID WASTE DISPOSAL AND RECYCLING FRANCHISE AGREEMENT BETWEEN PACIFIC WASTE SERVICES AND THE CITY OF CHULA VISTA, MOVING THE RATE ADJUSTMENT ANNIVERSARY DATE FOR SMALL QUANTITY GENERATOR RATES FROM JULY 1 TO SEPTEMBER 1 EACH YEAR (FIRST READING)

ITEMS PULLED FROM THE CONSENT CALENDAR

OTHER BUSINESS

12. CITY MANAGER'S REPORTS
13. MAYOR'S REPORTS
14. COUNCIL COMMENTS

CLOSED SESSION

Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).

15. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54957.6

- Agency designated representatives: Sharon Marshall, Marcia Raskin, David D. Rowlands, Jr., Maria Kachadoorian, Ed Van Eenoo
- Employee organizations: Police Officers Association, Chula Vista Employees Association, International Association of Fire Fighters, Western Council of Engineers

ADJOURNMENT to an Adjourned Regular Meeting on June 23, 2005 at 4:00 p.m. at the John Lippitt Public Works Center, 1800 Maxwell Road, thence to an Adjourned Regular Meeting on June 28, 2005 at 6:00 p.m. in the Council Chambers, and thence to the Regular Meeting of July 12, 2005, at 6:00 p.m. in the Council Chambers.